

Memorandum

To : The Conservancy
The Advisory Committee

Date: October 27, 2003

From :  Joseph T. Edmiston, FAICP, Executive Director

Subject: **Agenda Item 11(d): Consideration of resolution authorizing entering into a Memorandum of Understanding with the California Coastal Commission and the Mountains Recreation and Conservation Authority regarding the administration of the Coastal Habitat Impact Mitigation Fund, Los Angeles County.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing entering into a Memorandum of Understanding with the California Coastal Commission and the Mountains Recreation and Conservation Authority regarding the administration of the Coastal Habitat Impact Mitigation Fund, Los Angeles County.

Legislative Authority: Public Resources Code 33211(c)

Background: Coastal development permits have been approved by the California Coastal Commission (Commission) for development in the City of Malibu and Santa Monica Mountains in Los Angeles County that allow mitigation of adverse impacts to environmentally sensitive habitat by payment of a fee to a Coastal Habitat Impact Mitigation Fund (Fund). The Local Coastal Program for Malibu (Malibu LCP) that was approved by the Commission in September 2002 also provides for conditions of permit approval that allow payment of a fee to a Coastal Habitat Impact Mitigation Fund for mitigation of such impacts. A Memorandum of Understanding between the Commission, Santa Monica Mountains Conservancy, and Mountains Recreation and Conservation Authority would formalize the administration and implementation of this fund.

In general, all payments to the Fund that are made pursuant to requirements of a coastal development permit, would be used to acquire, preserve or restore natural habitat areas in the Santa Monica Mountains coastal zone, with priority given to acquisition of, or extinguishment of, all development potential on properties containing areas designated as environmentally sensitive habitat areas, and to properties contiguous with existing parklands containing natural habitat. Mitigation may occur within the Santa Monica Mountains outside of the coastal zone under certain conditions (i.e., if it implements a Habitat Conservation Plan or Natural Communities Conservation Plan that targets coastal sage scrub and/or chaparral, and that has been incorporated into the LCP).